

BOARD OF ENVIRONMENTAL REVIEW
AGENDA ITEM
EXECUTIVE SUMMARY FOR
Water Quality Numeric Standards for EC and SAR

AGENDA # III B.

AGENDA ITEM SUMMARY

Update on the department's progress on rulemaking for the establishment of numeric water quality standards for electric conductivity and sodium adsorption ratio for waters of the Powder River Basin.

LIST OF AFFECTED RULES

The Rules that may result from this effort will be new rules in ARM 17.30.601 et.seq.

AFFECTED PARTIES SUMMARY

Affected parties include potential coal bed methane producers and all irrigators in the Montana portion of the Tongue and Powder River Basins. No formal notification has been given.

SCOPE OF PROPOSED PROCEEDING Department staff will brief the BER on the progress of development of standards. The department intends to request initiation of rulemaking at the next scheduled BER meeting on July 26.

BACKGROUND

Department staff briefed the BER on the technical issues surrounding CBM development at the last meeting. The department has been developing numeric standards for EC and SAR in order to protect the beneficial uses of surface waters in the Powder River Basin during CBM development. Several technical and policy issues remain to be addressed in the development of the standards. They include review of a proposed antidegradation provision and obtaining peer review of the proposed standards by a third party independent contractor. The department expects to have these efforts complete in time to request initiation of rulemaking at the next BER meeting. At the June 7 meeting, department staff will briefly review the issues yet to be resolved and answer any questions the BER may have on the rulemaking effort.

HEARING INFORMATION

No hearing is required at this time. It is likely that multiple public hearings will be required during the rule adoption process.

BOARD OPTIONS

No action required

DEQ RECOMMENDATION None